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EXAMINER	
LIEBERMAN, A	
ART UNIT	PAPER NUMBER
142	7

DATE MAILED: 10/20/81

This is a communication from the examiner in charge of your application.

COMMISSIONER OF PATENTS AND TRADEMARKS

☐ This application has been examined. ☒ Responsive to communication filed on 7/2/81 ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892 | 2. <input type="checkbox"/> Notice of Informal Patent Drawing, PTO-948 |
| 3. <input type="checkbox"/> Notice of References Cited by Applicant, PTO-1449 | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152 |

5. ☐ _____

Part II SUMMARY OF ACTION

1. ☒ Claims 1-14 are pending in the application.

Of the above, claims 12-14 are withdrawn from consideration.

2. ☐ Claims _____ have been cancelled.

3. ☐ Claims _____ are allowed.

4. ☒ Claims 1-11 are rejected.

5. ☐ Claims _____ are objected to.

6. ☐ Claims _____ are subject to restriction or election requirement.

7. ☐ The formal drawings filed on _____ are acceptable.

8. ☐ The drawing correction request filed on _____ has been ☐ approved. ☐ disapproved.

9. ☒ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has
☒ been received. ☐ not been received. ☐ been filed in parent application, serial no. _____,
filed on _____.

10. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

11. ☐ Other

Art Unit 142

12. The election of the invention Group I (claims 1-11), as well as the traversal of the restriction requirement is acknowledged. Upon reconsideration it remains the position of the examiner that the inventions of Group I and Group II are distinct, and that restriction is proper. For example, it is seen that claim 14 gives evidence that not only the composition of claim 1 is suitable for the method of simultaneously connecting human or animal tissue which is recited in the claims of Group II. Also, the claims of Group II do not require the presence of the additional additives recited in any of Group I claims 3-6. The differences indicated by the presence of the noted additives are seen to be material. Note 806.05(h) MPEP.

For the reasons discussed in section 13 of the last Office action and in the preceding paragraph, the restriction requirement is seen to be proper and is hereby made final. *2-14*

Claim ~~8~~ *8* stands withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being for a nonelected invention (or species), the requirement having been traversed in paper No. 6.

13. Claim 8 is rejected under 35 USC 112, second paragraph as the claim is indefinite in that there is no antecedent for "cold-insoluble globulin" in claim 1, upon which claim 8 is dependent.

14. Claims 1-7 and 9-11 are rejected under 35 USC 112, first paragraph as the disclosure is enabling only for claims limited in accordance with the disclosure in lines 11-14, page 5 of the specification.

15. Claim 7 is rejected under 35 USC 112, second paragraph as this claim recites a property which is disclosed as typical of the composition of claim 1 (lines 6-10, page 5 of the specification). Thus it is not apparent what claim 7 adds to claim 1.

16. The cited references indicate the state of the art.

17. If amended so as to avoid the rejections discussed in the preceding sections 13-15, claims 1-11 would be allowable in the absence of more pertinent prior art.

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9-16-81

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ART UNIT 142